

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                          |
|------------------------------|---|--------------------------|
| In re Patent Application of: | ) | Examiner: Casca, Fred A. |
|                              | ) |                          |
| Nelson et al.                | ) | Art Unit: 2617           |
|                              | ) |                          |
| Application No.: 09/975,287  | ) | Confirmation No. 1098    |
|                              | ) |                          |
| Filed: October 10, 2001      | ) |                          |
|                              | ) |                          |
| For: WIRELESS MOBILE PHONE   | ) |                          |
| WITH ENCODED DATA ENTRY      | ) |                          |
| FACILITIES                   | ) |                          |
| _____                        | ) |                          |

U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSERTION OF SMALL ENTITY STATUS**

Dear Sir:

Assignee, Varia LLC, is entitled to assert small entity status for the above-referenced patent application pursuant to 37 CFR 1.27 and requests that you amend your records in accordance with this assertion.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: September 15, 2008

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